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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/998,196 Confirmation No. 4434
Applicant : Shen-Chih et al.
Filed : December 3, 2001
TC/A.U. : 1646
Examiner : Kaufman, Claire M.

Docket No. : 6653-016-999
Customer No. : 20853

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants hereby respond to the restriction requirement imposed in the outstanding Office Action, dated July 17, 2003. Applicants submit that this response is timely filed since August 17, 2003 is a Sunday.

Claims 1-40 are pending in this application.

The Examiner has required an election under 35 U.S.C. § 121 of one of the following inventions:

- Group I. Claims 1-8 and 11-23 directed to hybridoma and kit with antibody from 3H5 and 9A10C3;
- Group II. Claims 9, 10 and 37-40 directed to DcR3 fusion protein and pharmaceutical composition comprising the fusion protein; and
- Group III. Claims 24-36 directed to method of determining DcR3 level using an antibody.

The Examiner contends that each of Groups I to III is distinct from the other Groups.

Applicants hereby elect the subject matter of Group I, *i.e.*, claims 1-8 and 11-23 directed to hybridoma and kit with antibody from 3H5 and 9A10C3.

Applicants fully reserve their rights to prosecute the non-elected subject matter in one or more related applications.

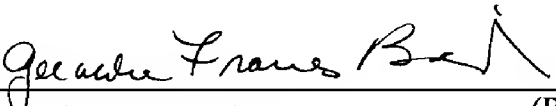
Attention is also directed to the Information Disclosure Statement with PTO-1449 form submitted on May 9, 2002. It is requested that all listed references be made of record in the file.

Applicants also submit herewith a Change of Correspondence Address requesting that all future correspondence in connection with the instant application be send to the New York office of Pennie & Edmonds LLP, which is located at 1155 Avenue of the Americas, New York, NY 10036-2711.

Applicants respectfully request that the above-made remarks be entered and made of record in the file history of the instant application.

Respectfully submitted,

Date: August 18, 2003


Geraldine F. Baldwin 31,232
(Reg. No.)
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090